Remarks

With this response, claim 37 is cancelled. Claims 1, 5, 15, 18-22, 24-27, 31, 33, and 35-36 are amended. No new subject matter is added. Claims 1-11, 13-36, and 38-42 remain pending in the case. Reconsideration and allowance of the pending claims is requested in light of the following remarks.

Claim Rejections – 35 USC § 102

Claims 1-8, 10, 13-24, 26-29, 31-36, 39 and 41 are rejected under 35 USC 102(e) as being anticipated by U.S. Pub. No. 2004/0162094 to Riikonen ("Riikonen"). The applicant respectfully disagrees. In order to anticipate these claims, Riikonen must show the identical invention in as complete detail as contained in the claim. MPEP 2131.

In the response to the non-final Office Action mailed on 13 September 2007, the applicant stated that "Riikonen thus teaches a SIP INVITE message, which advertises to the callee terminal to delay a designated SIP response message until the multimedia content is downloaded from a URL indicated in the "Synchronized Loading" header of the SIP INVITE message" (page 9, first paragraph, first sentence). The AA apparently equated this to an agreement on the part of the applicant that Riikonen teaches the recited feature of "the delay point indicating at least one of feature discovery of the called endpoint and call supplementary services."

To dispel this misunderstanding, please refer to the second and third sentences of the first full paragraph of page 9 of the response to the non-final Office action that was mailed on 13 September 2007. For convenience, the sentences are repeated verbatim in the remainder of this paragraph. ***Riikonen does not teach or suggest "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services."*** (second sentence, emphasis added). Riikonen at best teaches a delay point indicating whether multimedia content is downloaded from a URL, not "one of feature discovery of the called endpoint, and call supplementary services" (third sentence).

Thus, while the applicant did state that Riikonen teaches "a SIP INVITE message, which advertises to the callee terminal to delay a designated SIP response message until the multimedia content is downloaded from a URL indicated in the "Synchronized Loading" header of the SIP INVITE message," the applicant clearly did not agree that Riikonen taught the ***additional*** recited claim feature of "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services" (emphasis added). As

explained above, Riikonen cannot merely teach some features of the claim, it must show the identical invention in as complete detail as contained in the claim.

The AA further states that Riikonen's teaching of "a SIP INVITE message, which advertises to the callee terminal to delay a designated SIP response message until the multimedia content is downloaded from a URL indicated in the "Synchronized Loading" header of the SIP INVITE message" is consistent with the teachings of the specification found at page 1, line 4-9. Whether this is true or not, it has no relevance to the determination of whether Riikonen also teaches the additional recited feature of "the delay point indicating at least one of feature discovery of the called endpoint, and call supplementary services."

To advance prosecution, claims 1, 5, 15, 21, 26, 31, 35, and 36 are amended in a manner that is believed to remove the anticipation rejection based on Riikonen. No new subject matter was added.

For example, Riikonen fails to disclose that "the call supplementary services [include] call completion on busy and call completion on no answer" as recited in claim 1. For example, Riikonen fails to disclose that "the delay point indicating feature discovery of the called endpoint, the delay point further indicating call supplementary services" as recited in claim 5. For example, Riikonen fails to disclose that "the delay point [indicates] feature discovery of the called endpoint and call supplementary services" as recited in claims 15, 26, 35, and 36. For example, Riikonen fails to disclose that "the delay point [indicates] feature discovery of a called endpoint and call supplementary services, in which feature discovery of the called endpoint is a process of determining if features of the called endpoint match features of the calling endpoint" as recited in claims 21 and 31. Claims 2-4, 6-8, 10, 13-14, 16-24, 27-29, 32-34, 39, and 41 are not anticipated by Riikonen at least because these claims inherently contain the features of claims 1, 5, 15, 21, 26, 31, 35, or 36.

Claims 1, 21, 37 and 42 are rejected under 35 USC 102(e) as being anticipated by U.S. Pat. No. 7,149,299 to Triano ("Triano"). The applicant respectfully disagrees.

Claim 37 is cancelled. To advance prosecution, claims 1 and 21 are amended in a manner that is believed to remove the anticipation rejection based on Triano. For example, Triano fails to disclose that "the call supplementary services [includes] call completion on busy and call completion on no answer" as recited in claim 1. For example, Triano fails to disclose that "the delay point [indicates] feature discovery of a called endpoint and call supplementary services, in which feature discovery of the called endpoint is a process of determining if features of the called endpoint match features of the calling endpoint" as

recited in claim 21. Claim 42 is not anticipated by Triano at least because this claim inherently contains the features of claim 21.

Claims 1 and 38 are rejected under 35 USC 102(e) as being anticipated by U.S. Pat. No. 7,170,888 to Yoo ("Yoo"). The applicant respectfully disagrees.

To advance prosecution, claim 1 was amended in a manner that is believed to remove the anticipation rejection based on Yoo. For example, Yoo fails to disclose that "the call supplementary services [includes] call completion on busy and call completion on no answer" as recited in claim 1. Claim 38 is not anticipated by Yoo at least because it inherently contains the features of claim 1.

Claims 5, 8-9, 14, 26 and 30 are rejected under 35 USC 102(e) as being anticipated by U.S. Pat. No. 6,366,577 to Donovan ("Donovan"). The applicant respectfully disagrees.

To advance prosecution, claims 5 and 26 were amended in a manner that is believed to remove the anticipation rejection based on Donovan. For example, Donovan fails to disclose that "the delay point indicating feature discovery of the called endpoint, the delay point further indicating call supplementary services" as recited in claim 5. For example, Donovan fails to disclose that "the delay point [indicates] feature discovery of the called endpoint and call supplementary services" as recited in claim 26. Claims 8-9, 14, and 30 are not anticipated by Donovan at least because these claims inherently contain the features of claim 5 or 26.

Claim Rejections – 35 USC § 103

Claims 11 and 25 stand rejected under 35 USC 103(a) as being unpatentable over Riikonen. The applicant respectfully disagrees.

The applicant previously stated that claims that depend from nonobvious independent claims are also nonobvious, and cited MPEP 2143.03 for support. The AA contends that "MPEP 2143.03 discloses that all claim limitations must be considered and has nothing to do with nonobvious claim depending from independent [non]obvious claim." The AA is mistaken.

"If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is also nonobvious." MPEP 2143.03, *citing* In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, claims 11 and 25 are allowable at least because they depend from nonobvious independent claims.

Conclusion

For the foregoing reasons, reconsideration and allowance of the pending claims is requested. Please telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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